

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4183 of 2017

Surendra Uikey @ Surendra S/o Rambali Singh, Aged About 23 Years R/o Dindo, Bansapara Chowki Dindo, Police Station Trikunda, Balrampur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Trikunda, District Balrampur, Chhattisgarh.

---- Respondent

Shri CJK Rao, counsel for the applicant/s.
Shri Avinash Singh, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

21/11/2017

Heard.

The applicant has been arrested in connection with Crime No.08/2017 registered at Police Station - Trikunda, District – Balrampur (CG) for alleged commission of offences under Section 354 IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution is that the applicant outraged modesty of the prosecutrix when she had gone to forest area and the prosecutrix stated to be a minor.

3. Learned counsel for the applicant submits that it is a case of false implication. It is submitted that the prosecutrix has now been examined in the Court and except that the applicant threatened her not to come to the forest area to pick up forest produce, no other allegations have been levelled against the applicant. Therefore, in these circumstances, at this stage, the applicant may be granted bail.

4. On the other hand, learned State counsel opposes bail application and

submits that looking to the nature and gravity of allegations, the applicant may not be granted bail.

5. Having considered submission of learned counsel for the parties, particularly the submission that the prosecutrix has already been examined in the Trial Court, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the Trial Court. He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge